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PATENT
Attorney Docket No. P04814US0
PHI 1314

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTEE: **FISCHER et al.**
PATENT NO: **6,809,241 B1**
ISSUED: October 26, 2004
TITLE: HYBRID MAIZE PLANT AND SEED 36N70

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 CFR § 1.322(a))

DEC 29 2004

of Correction

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Decision and Certificate of Correction
Branch of the Patent Issue Division

Dear Sir:

Attached, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.

The exact page and line number where the errors are shown correctly in the application file are:

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Decision and Certificate of Correction Branch of the Patent Issue Division.

Date: 12/22/2004

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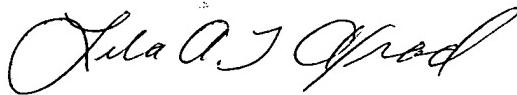
transmitted by facsimile to the Patent and Trademark Office, Art Unit _____ at Fax No. (703) 872-_____.


Lila A. T. Akkad 4 JAN 2005

Page 56, line 8 of the Specification as filed January 12, 2001; page 2, lines 7, 22, 25 and 29; page 3, line 2; and page 4, line 20 of the Amendment filed January 23, 2004; and page 3, line 24, page 4 lines 7 and 21, and page 5 lines 6 and 18 of the Letter Accompanying Amendment After Allowance filed April 2, 2004.

Please send the Certificate to: Lila A. T. Akrad, McKee, Voorhees & Sease, P.L.C., 801 Grand Avenue, Suite 3200, Des Moines, IA 50309-2721.

Respectfully submitted,



LILA A. T. AKRAD, Reg. No. 52,550
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No. (515) 288-3667
Facsimile No. (515) 288-1338

CUSTOMER NO: 27142
Attorneys of Record

- pw -

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO : **6,809,241 B1**

DATED : **October 26, 2004**

INVENTOR(S) : **FISCHER, David Bernard and Joseph Kevin Gogerty**

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

(57) ABSTRACT:

line 8

ing in its genetic materials material one or more transgenes and to the

Column 6, line 4:

Va. Virginia 20110, have accession number PTA-5513 for GE570937

Column 37, line 17:

Va. VA 20110-2209 USA, ATCC Deposit Nos. PTA-5463, PTA-

Column 37, Line 19:

The ATCC on Sep. September 9, 2003, Sep. September 12, 2003 and Feb. February 3, 2000,

Column 37, Line 25:

Commissioner of Patents and Trademarks any and persons deter-

Column 37, Line 33:

Va. Virginia 20110-2209. This deposit of seed of hybrid maize plant

MAILING ADDRESS OF SENDER:

PATENT NO. **6,809,241 B1**

No. of additional copies

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Page 1 of 2

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Column 37, Line 61:

of leaf, pollen, embryo, root, root tip, another anther, silk, flower,

Column 37, Line 63:

8. A maize maize plant regenerated from the tissue culture of

Column 38, Line 12:

(a) crossing at least one one of inbred maize parent plants

Column 38, Line 33:

(f) crossing said four fourth or higher backcross progeny plant

Column 38, Line 50:

14. The pat plant of claim 12 wherein the desired trait is insect

Column 38, Line 62:

Nos. as PTA-5513 and PTA-1282 respectively, wits with

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